

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

UNITED STATES OF AMERICA	)	
	)	CRIMINAL ACTION FILE
v.	)	
	)	NUMBER 1:06-cr-396-TCB-ECS-3
OLIVAR MARTINEZ-BLANCO	)	

ORDER

Before the Court holds a hearing on Defendant Olivar Martinez-Blanco's § 2255 motion [145], the parties will be required to further brief the issues. Martinez-Blanco shall file his prehearing brief on or before June 21, 2013; the Government shall file its response on or before July 5, 2013; and Martinez-Blanco may file a reply on or before July 19, 2013.

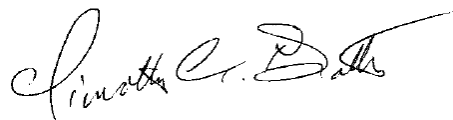
Martinez-Blanco's brief should focus on the first ground for relief set forth in his § 2255 motion and discuss the impact of his mental capacity on that claim. If it is Martinez-Blanco's position that his mental capacity is an independent basis for relief, that should be made clear in his brief. The brief should also discuss the evidence Martinez-Blanco intends to present at the hearing and explain how it is relevant to his claims.

In addition to responding Martinez-Blanco's arguments, the Government's response brief should discuss the testimony the Government intends to present at the hearing and explain how that testimony is relevant to Martinez-Blanco's claims. The Government may also make any objections it has to Martinez-Blanco's proffered evidence.

If Martinez-Blanco chooses to file a reply, he may respond to the Government's arguments and make any objections he has to the Government's proffered evidence.

After the issues are fully briefed, the Court will determine the scope of the issues to be addressed the hearing, rule on any evidentiary objections, and set the hearing.

IT IS SO ORDERED this 5th day of June, 2013.

A handwritten signature in black ink, appearing to read "Timothy C. Batten, Sr.", written in a cursive style.

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Timothy C. Batten, Sr.  
United States District Judge